



PTO/SB/21 (08-03)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	12 + 6 ^{1/2} Refs	Application Number	10/730,776
		Filing Date	December 8, 2003
		First Named Inventor	Michael LIEBERMAN
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	247332001100

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
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Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP James J. Mullen, III - 44,957
Signature	
Date	March 17, 2004

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Dated: 3-17-2004 Signature:



PATENT
Docket No. 247332001100

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael LIEBERMAN

Serial No.: 10/730,776

Filing Date: December 8, 2003

For: RECOMBINANT VACCINE AGAINST
FLAVIVIRUS INFECTION

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. §1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of __ is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

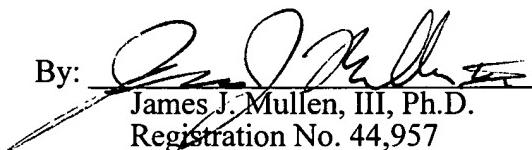
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 247332001100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 17, 2004

Respectfully submitted,

By: 
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION	Docket Number 247332001100	Application Number 10/730,776
	Applicant Michael LIEBERMAN	
	Filing Date December 8, 2003	Group Art Unit To Be Assigned
	Mailing Date March 17, 2004	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
1.			09/376,463				August 18, 1999
2.	10/1991		5,057,540	Kensil et al.	514	25	
3.	12/1996		5,583,112	Kensil et al.	514	25	
4.	09/1997		5,663,153	Hutcherson et al.	514	44	
5.	10/1997		5,679,354	Morein et al.	424	278.1	
6.	03/1998		5,723,335	Hutcherson et al.	435	375	
7.	10/2000		6,136,561	Ivy et al.	435	69.3	
8.	12/2000		6,165,477	Ivy et al.	424	218.1	
9.	02/2001		6,194,388	Krieg et al.	514	44	
10.	03/2001		6,207,646	Krieg et al.	514	44	
11.	04/2001		6,214,806	Krieg et al.	514	44	
12.	04/2001		6,218,371	Krieg et al.	514	44	
13.	05/2001		6,231,859	Kensil	424	184.1	
14.	05/2001		6,239,116	Krieg et al.	514	44	
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17.	06/2002		6,406,705	Davis et al.	424	278.1	
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FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

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OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

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	22.	Ballas et al., J. of Immunology (2001) 167:4878-4886
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